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MEMO ENDORSED

August 13, 2020

BY ECF

Hon. William H. Pauley
United States District Judge
Southern District of New York
500 Pearl Street
New York, NY 10007

Re: *United States v Miller*, 18 Cr. 706 (WHP)

Your Honor:

As you will recall, on July 29, 2020, this Court granted the application of Donald Miller for compassionate relief. During the oral argument on the motion, we noted that, if Mr. Miller were to be released, he would be able both to provide child care while his wife worked, and also work as a superintendent in the same building during the hours his wife was home. In the Order granting the motion, this Court specified that Mr. Miller would be “subject to home confinement enforced by location monitoring with technology at the discretion of the Probation Office until May 12, 2021,” and that he would be “confined to the residence approved by the Probation Office 24-hours per day except for emergency medical visits.”

Since Mr. Miller’s release, the probation officer has suggested to counsel that we request that this Court modify the Order by providing that Mr. Miller is subject to “home detention,” rather than “home confinement.” With that modification, Mr. Miller would be permitted to work in his building (still without leaving the premises). But without that modification, I am informed, Mr. Miller cannot work, even in the same building. Accordingly, we ask that this Court modify its prior Order by providing that Mr. Miller is subject to home detention, rather than home confinement.

Respectfully submitted,

Application granted. Mr. Miller is now subject
to home detention rather than home confinement.

SO ORDERED:

/s/
James E. Neuman


WILLIAM H. PAULEY III
U.S.D.J.

August 13, 2020